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Senate

The Senate met at 10:01 a.m. and was called to order by the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord, God, magnificent in mercy, plenteous in grace, and generous in love, strengthen our Senators for today's journey.

Lord, give them strong hearts and sound minds to do their ethical best in representing You. As they look to the future, provide them the wisdom to join their plans to Your purposes in order to accomplish Your work on Earth.

Lord, fill them with the spirit of hope that will make them positive people who are expecting Your best for our Nation and world.

We look to You with vibrant expectation that You can transform dark yesterdays into bright tomorrows.

We pray in Your precious Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 2, 2021.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. WARNOCK thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Jonathan Davidson, of Maryland, to be Deputy Under Secretary of the Treasury.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

ELECTION DAY

Mr. SCHUMER. Mr. President, I am going to start with a mask because it is a message to all of America: Vote. Today is voting day. Please vote. If you haven't voted already, make sure you vote.

JOHN R. LEWIS VOTING RIGHTS ADVANCEMENT ACT

Mr. President, on a very related issue, the John Lewis Voting Rights Advancement Act, last night, I took the necessary procedural steps to set up a vote on Wednesday in the Senate on the John Lewis Voting Rights Advancement Act. Tomorrow, the Senate is going to take a first vote on whether or not we debate—merely debate—a bill to reinstate the preclearance provisions of the Voting Rights Act, which has long had bipartisan support in this Chamber—bipartisan support—in the past.

Our democracy relies on the guarantee of free and fair elections to survive, but across the country, we are witnessing a coordinated assault on the right to vote and even on how elections are conducted, tallied, and potentially decided—a true threat to the ultimate foundation of our democracy.

In the past, preclearance helped put a check on the worst abuses from the States, but a conservative majority on the Supreme Court in 2013, in one of the worst decisions in recent memory, effectively crippled preclearance, wrongly suggesting that it was no longer needed. We have seen how wrong that decision was in the years since 2013 and particularly now. Boy, were they wrong. In the years since that decision, the floodgates have opened for some of the most draconian restrictions to the franchise that we have seen since the era of segregation.

The clock is ticking for the Senate to stop these attacks. Starting next year, State legislatures will return to session, and many will surely build on the flurry of restrictive laws we are already seeing in States like Georgia and Texas. So if there is any issue that deserves debate in this Chamber, it should be protecting voting rights.

The Voting Rights Act has long enjoyed bipartisan support in this Chamber. Nixon, Reagan, and Bush all signed into law updates to the legislation. In

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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fact, many of my colleagues on the other side of the aisle proudly previously worked on and supported passage of those updates, including preclearance provisions. It should be no different today.

For months, Senate Democrats have bent over backwards to find common ground with Republicans on the critical issue of protecting the freedom to vote. We have urged Senate Republicans to engage, to offer their ideas, to come together to guarantee free and fair elections to all Americans. I have made clear time and time again: Democrats are open for business; we want Republicans to engage. I am prepared to offer an open and honest, full-fledged process here on the Senate floor tomorrow, where Republican amendments will be made in order and allowed and debated, but for that to happen, Republicans must come to the table when we vote tomorrow. We can't force so much as a debate if at least 10 Republicans don't join us and vote in favor of letting the Senate do its work on this most important, this most vital of issues.

Senate Republicans shouldn't be afraid of merely starting debate on an issue we have long debated in this body and long supported in a bipartisan way in the past. If they have different ideas on how to achieve a stronger democracy, they owe it to the American people to come forward and debate their ideas. Simply standing silent with their arms crossed, refusing to allow the Senate to function, is unacceptable.

BUILD BACK BETTER

Mr. President, now on Build Back Better, today, Democrats in the House and Senate continue making progress on passing President Biden's Build Back Better plan. Last night, I held another round of talks with my leadership team, with the Speaker, with the White House. With many, we are discussing so many issues, including moving forward on prescription drugs. We are moving ahead, we are working through the outstanding details, and we remain committed to getting something big done for the American people.

Nobody is getting everything they hoped for in the final deal, but Build Back Better will have things that everyone—everyone—wanted. Even as we continue finalizing the text, the President's framework already—already—has done very good and important things that will dramatically improve the lives of everyday Americans. It makes historic progress on childcare, pre-K, fighting climate change, providing tax cuts for the middle class, housing, and more.

In years past, passing any one of these items would have been considered a huge step forward for the country. Now, we are working to get them all done at once, and we will continue making progress.

The framework's provisions on childcare alone would be the largest in American history. Our country's need

for childcare has grown dramatically since the 20th century. According to the Treasury Department, in fact, the average cost of caring for a young child hovers around \$10,000 a year. Many people pay more for childcare than they pay for their mortgage. Ten thousand dollars a year is simply out of reach for far too many families.

Not only do our kids suffer when they can't have somewhere safe to stay, our families suffer when they can't enter the workforce, and ultimately our country suffers as our economy's productivity is diminished.

Build Back Better, with its unprecedented investments to help families better afford childcare, would finally provide parents the help they have needed for decades.

That is just one example. American families under this framework will for the first time also have access to universal pre-K for 3- and 4-year-olds across the country. It also extends the child tax credit passed earlier this year so parents can better afford things like groceries and diapers and utilities and other daily essentials. Since its enactment, this program alone has already cut poverty—child poverty—in half in this country. That is an amazing accomplishment and one that will continue to go forward under this proposal.

So President Biden's Build Back Better framework is a historic step forward for families, but that is not all. The framework would also make bold investments to tackle the climate crisis.

The consequences of climate change are already severe. Every time we face another major heat wave, it endangers the lives of Americans who work outdoors. Every time another hurricane hits the east coast or the South, it risks destroying people's homes and schools and churches and small businesses. Every time another wildfire rages in the West, it fills the air with poisonous smoke that entire cities breathe in, consequences yet unknown.

Build Back Better would help our country fight this climate threat with unprecedented investments in clean manufacturing, clean transportation, clean electricity, and clean buildings, so we can cut our emissions, make our communities healthier, and lead the world by the power of our example. While there still would be much, much more work needed to protect our planet, this framework is a bold step in the right direction.

Now, of course, even as we continue to negotiations, the President's Build Back Better framework contains many other good things. It will help Americans keep a safe and stable roof over their heads with long-sought investments in new affordable housing, as well as ensuring that we keep housing affordable for low- and moderate-income families.

I have been working night and day with my colleagues in both Chambers and the White House to make progress

on lowering the costs of prescription drugs. I am very hopeful there will be an agreement as early as today that will include landmark reforms sought by the American people and the Democratic Party for decades.

For the first time, Medicare will be empowered to negotiate prescription drug prices in Part B and Part D. There will be an annual cap on out-of-pocket costs, a new monthly cap on the price of insulin, and an "inflation" rebate policy to protect consumers from egregious annual increases in prices.

These policies are common sense and overwhelmingly supported by the American people. The deal will finally lower the costs of prescription drugs for seniors and working families. It doesn't do everything I would want or many of us would want, but it takes a big step forward.

All the while, Build Back Better will be fully paid for and will ultimately relieve our Nation's inflationary pressures. Don't take my word for it. Many leading economists have made clear that this legislation would improve—not worsen—inflation in the country. There are a lot of good things in this framework, and Democrats are moving forward to get a final agreement and this bill over the finish line.

Nobody said that transformative legislation of this scale would be easy, quick, or simple, but we remain committed to meeting our ultimate goal of helping working- and middle-class families achieve the American dream in the 21st century.

We want to help those in the middle class stay there. They are worried about their future and the future of their children. We want to help those struggling to get to the middle class get there more easily by building ladders that they can climb. It is so important we get this done. This is the best opportunity we have had in a long time to make that a reality, so we will continue marching ahead.

JUDICIAL NOMINATIONS

Finally, very quickly, on judges. Mr. President, here is a number that everyone watching the work of the Senate should take note of: 28.

That is the number of Federal judges that, after yesterday's confirmations of Beth Robinson and Toby Heytens, the Senate has confirmed in a time of 9 months since President Biden took the oath of office: 28 judges—19 to serve on district courts, 9 to serve as appellate judges.

And the vast majority of these new judges are people of color, a majority of them being women, and many from backgrounds that have long been overlooked in selection of our Nation's judges.

This is more judges put in this period of time, the first year—the first 9 months of the President's—10 months of the President's first term—than has happened in a very long time.